

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 TRSE-00 /058 W
-----182220Z 069360 /73

R 181928Z MAY 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC 8381
INFO USMISSION USBERLIN
AMEMBASSY BERLIN
AMEMBASSY MOSCOW
USMISSION EC BRUSSELS
USMISSION NATO
AMEMBASSY LONDON
AMEMBASSY DUBLIN
AMEMBASSY PARIS
AMEMBASSY LUXEMBOURG
AMEMBASSY ROME
AMEMBASSY THE HAGUE
AMEMBASSY BRUSSELS
AMEMBASSY COPENHAGEN
AMCONSUL MUNICH

LIMITED OFFICIAL USE SECTION 01 OF 02 BONN 08608

E.O. 11652: N/A
TAGS: PFOR, WB, GW, EEC
SUBJECT: DIRECT ELECTION OF THE EUROPEAN PARLIAMENT:
FRG PLANS

REF: BONN 2503

SUMMARY: THE GOVERNMENT WILL PROBABLY FAIL IN ITS
ATTEMPT TO SECURE PARLIAMENTARY APPROVAL OF ITS DRAFT
LEGISLATION PROVIDING FOR DIRECT ELECTION OF THE
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EUROPEAN PARLIAMENT BEFORE THE BUNDESTAG RECESSES IN
JULY. BOTH GOVERNMENT AND PARLIAMENTARY SOURCES, HOW-
EVER, ARE CONFIDENT OF APPROVAL IN THE FALL. END
SUMMARY.

1. THE GOVERNMENT HAS SUBMITTED ITS PACKAGE OF THREE
DRAFT LAWS PROVIDING FOR DIRECT ELECTION OF THE

EUROPEAN PARLIAMENT (RATIFICATION OF EC DECISION, ENABLING LEGISLATION AND STATUS OF DEPUTIES) TO THE GERMAN PARLIAMENT. THE GOVERNMENT'S PROPOSALS RECEIVED THEIR FIRST READING IN THE BUNDES RAT ON MAY 6. THE FIRST READING IN THE BUNDESTAG, WHICH WAS SCHEDULED FOR MAY 11, WAS POSTPONED TO MAY 26 (BECAUSE OF FORMER CHANCELLOR ERHARD'S FUNERAL AND OTHER HIGHER PRIORITY -- PENSION -- LEGISLATION).

2. AS A RESULT OF THE POSTPONEMENT OF THE BUNDESTAG DEBATE, IT IS MOST LIKELY THAT THE GOVERNMENT'S DESIRE TO SECURE PASSAGE OF THE LEGISLATION BEFORE THE JULY RECESS WILL BE FRUSTRATED. THERE WILL BE ONLY TWO WORK WEEKS BETWEEN THE MAY 26 DEBATE IN THE BUNDESTAG AND THE SUMMER RECESS. CONSEQUENTLY, THE BUNDESTAG WILL HAVE TO CONSIDER THE LEGISLATION IN ITS FALL SESSION, WHICH WILL BEGIN SEPTEMBER 4.

3. THE DEBATE IN THE BUNDES RAT CENTERED AROUND THREE ISSUES:

-- FEDERAL VERSUS STATE ELECTION LISTS.
THE OPPOSING VIEWS OF THE SPD AND FDP ON THE ONE HAND AND THE CDU/CSU ON THE OTHER REMAIN AS REPORTED IN THE REFTEL. THEY HAVE BECOME MORE FORCIBLY EXPRESSED, HOWEVER, AND THIS ISSUE IS THE ONLY ONE WHICH, IN OUR OPINION, HAS THE POTENTIAL OF PREVENTING APPROVAL OF THE LEGISLATION EARLY NEXT FALL. WHILE THERE IS NO SETTLEMENT IN SIGHT -- IN FACT, THE POSITIONS ARE LIKELY LIMITED OFFICIAL USE

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TO BECOME MORE OPPOSITE ON MAY 26 IN THE BUNDESTAG -- OUR GOVERNMENT SOURCES POINT TO THE MILD WORDING OF THE BUNDES RAT'S RESERVATION ON THIS POINT (REQUEST THE GOVERNMENT TO EXAMINE WHETHER . . .) AS EVIDENCE OF

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WILLINGNESS TO GIVE WAY TO THE GOVERNMENT. PARLIAMENTARY
SOURCES ARE NOT AS SANGUINE, BUT THEY ALSO AGREE
THAT THIS ISSUE SHOULD NOT DELAY EC ELECTIONS.

THE ISSUE IS COMPLICATED BECAUSE OF THE POSSIBILITY TO
GAIN PARTISAN ADVANTAGE (REFTEL) AND ALSO BECAUSE
COMPROMISE IS DIFFICULT. ACCORDING TO THE INTERIOR
MINISTRY, IT IS NOT LEGAL, FOR EXAMPLE, TO ALLOT A
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MINIMUM OF ONE DEPUTY TO EACH LAND. IT IS POSSIBLE THAT
A COMPROMISE WILL EMERGE BY WHICH THERE WILL BE STATE
LISTS, BUT WITH PROPORTIONAL REPRESENTATION BY STATE.
THIS SOLUTION WOULD AVOID THE NECESSITY OF DRAWING
ELECTION DISTRICTS.

-- THE NEED FOR BUNDESRAT CONCURRENCE.
THE LEGISLATION AS SUBMITTED BY THE GOVERNMENT DOES NOT
PROVIDE FOR CONCURRENCE BY THE BUNDESRAT EXCEPT FOR THE
RELATIVELY UNIMPORTANT LAW DEALING WITH RIGHTS AND
PRIVILEGES. THE BUNDESRAT MAINTAINS THAT ALL THREE LAWS
REQUIRE ITS CONCURRENCE. THERE ARE ONLY TWO WAYS TO

RESOLVE THIS ISSUE: COMPROMISE OR A DECISION BY THE
CONSTITUTIONAL COURT. SOURCES IN BOTH THE GOVERNMENT
AND PARLIAMENT PREDICT THAT A COMPROMISE WILL BE REACHED
BECAUSE OF THE OVERWHELMING SUPPORT THAT DIRECT
ELECTIONS ENJOY IN THE FRG AND THE CONSEQUENT
DESIRE NOT TO DELAY PASSAGE OF THE LEGISLATION. MOST
OF OUR SOURCES PREDICT THAT THIS ISSUE WILL BE RESOLVED
IN FAVOR OF THE GOVERNMENT.

-- LAENDER MINISTER-PRESIDENTS:
THE GOVERNMENT'S PROPOSAL WOULD EXCLUDE THE MINISTER-
PRESIDENT OF ANY LAND FROM SITTING IN THE EC PARLIAMENT.
THE BUNDESRAT INSISTED THAT THIS BE CHANGED. OUR
SOURCES PREDICT THE GOVERNMENT WILL ACCEDE TO THE
BUNDESRAT'S WISHES. THIS ISSUE IS SIGNIFICANT BECAUSE
OF THE LIKELIHOOD THAT FRANZ JOSEF STRAUSS WILL BECOME
MINISTER-PRESIDENT OF BAVARIA BEFORE THE EC ELECTIONS.
STOESSEL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LEGISLATIVE ELECTIONS, LEGISLATIVE BILLS, REGIONAL ORGANIZATIONS, ELECTIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 18-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BONN08608
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770177-0399
Format: TEL
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770546/aaaabncp.tel
Line Count: 188
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 770a6e91-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 BONN 2503
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2476941
Secure: OPEN
Status: NATIVE
Subject: DIRECT ELECTION OF THE EUROPEAN PARLIAMENT: FRG PLANS
TAGS: PFOR, WB, GE, EEC
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/770a6e91-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009